

1 contained in the disclosure, and such testimony shall be admitted as substantive evidence  
2 in any hearing or trial in the above captioned matter.


3 Based on the foregoing, the parties jointly move for the release of the above-named  
4 material witnesses to the Department of Homeland Security for return to their country of  
5 origin.

6 Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

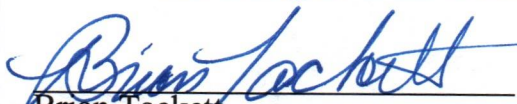
7 GARY M. RESTAINO  
8 United States Attorney  
9 District of Arizona

10 MICAH SCHMIT  
11 Assistant U.S. Attorney

12 I translated or caused to be translated this agreement from English into Spanish to  
13 the defendant on the \_\_\_\_ day of \_\_\_\_\_, 2022.  
14

15   
16 Adam Richard Dippel, Esq.  
17 Attorney for Defendant

18 I understand and agree to the terms of this stipulation.

19   
20 Brian Tackett  
21 Defendant  
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28

1 GARY M. RESTAINO  
United States Attorney  
2 District of Arizona  
MICAH SCHMIT  
3 Assistant U.S. Attorney  
State Bar No.: 014887  
4 United States Courthouse  
405 W. Congress Street, Suite 4800  
5 Tucson, Arizona 85701  
Telephone: 520-620-7300  
6 gerard.schmit@usdoj.gov  
Attorneys for Plaintiff

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,

Mag. No. 22-00083M (LAB)

11 Plaintiff,

12 vs.

STIPULATION AND JOINT MOTION  
FOR RELEASE OF MATERIAL  
WITNESSES WITHOUT TAKING  
VIDEO DEPOSITION

13 Brian Tackett,

14 Defendant.

15 The United States of America, through undersigned counsel, and the defendant,  
16 individually and through counsel, do hereby agree and stipulate as follows:

17 1. Fatima De Jesus Figueroa-Gomez and Ramon Mata-Miranda (hereinafter  
18 referred to as “material witnesses”), are not natural born or naturalized citizens, legal  
19 permanent residents, or nationals of the United States;

20 2. The material witnesses entered the United States illegally on or about January  
21 17, 2022;

22 3. The material witnesses were transported in the vehicle where defendant  
23 Brian Tackett was a passenger;

24 4. The parties also jointly agree that as a result of this stipulation, the material  
25 witnesses will be returned to their country of origin and thus unavailable as defined in Fed.  
26 R. Evid. 804;

27 5. Therefore, the parties agree that the government may elicit hearsay testimony  
28 from any agent regarding any statements made by the above-referenced material witnesses